# FISCAL YEAR 2015

**MARK UP** 

PUBLIC DEFENDER

**HOUSE BILL 2012** 

97<sup>th</sup> General Assembly Second Regular Session

Prepared by Senate Appropriations Committee Staff

# Public Defender Commission - Director's Office/Legal Services - Section 12.400

### Page 13

The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Base: Chapter 600 RSMo Funding Source: General Revenue

FY 2014 Withhold: None

## **CORE ADJUSTMENTS:**

#### **DEPARTMENT:**

No Changes

#### **GOVERNOR:**

No Changes

## **HOUSE:**

No Changes

SENATE:

FY 2013 ACTUAL  FTE DOLLAR FTE  585.13 27,472,186 57 585.13 27,472,186 5 0.00 5,128,289 0.00 5,128,289 585.13 \$32,600,475 57	FY 2014 BUDGET         FY 2015 DEPT REQ         GOV AS AMENDED REG           LAR         FTE         DOLLAR         FTE         DOLLAR           8,347,275         585.13         28,347,275         585.13         28,347,275           28,347,275         585.13         28,347,275         585.13         28,347,275           3,889,012         0.00         3,889,012         0.00         3,889,012           3,889,012         0.00         3,889,012         0.00         3,889,012           2,236,287         585.13         \$32,236,287         585.13         \$32,236,287	HOUSE RECOMMENDED  TE  DOLLAR  FTE  585.13  28,347,275  585.13  28,347,275  585.13  0.00  3,889,012  0.00  0.00  3,889,012  0.00  585.13  \$32,236,287  585.13	
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585.13 27,472,186 5 0.00 5,128,289 0.00 5,128,289	28,347,275     585.13     28,347,275     585.13     28,347,275       3,889,012     0.00     3,889,012     0.00     3,889,012       3,889,012     0.00     3,889,012     0.00     3,889,012	585.13     28,347,275     585.13       0.00     3,889,012     0.00       0.00     3,889,012     0.00	
585.13 27,472,186 5 0.00 5,128,289 0.00 5,128,289	28,347,275     585.13     28,347,275     585.13     28,347,275       3,889,012     0.00     3,889,012     0.00     3,889,012       3,889,012     0.00     3,889,012     0.00     3,889,012	585.13     28,347,275     585.13       0.00     3,889,012     0.00       0.00     3,889,012     0.00	
0.00 5,128,289 0.00 5,128,289	3,889,012 0.00 3,889,012 0.00 3,889,012 3,889,012 0.00 3,889,012 0.00 3,889,012	0.00         3,889,012         0.00           0.00         3,889,012         0.00	
0.00 5,128,289	3,889,012 0.00 3,889,012 0.00 3,889,012	0.00 3,889,012 0.00	
585.13 \$32,600,475 57	2,236,287 585.13 \$32,236,287 585.13 \$32,236,287	\$32,236,287 585.13	
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		0.00 130.595 0.00	
		0.00 0 0.00 0 0.00 391.786	0.00 0 0.00 0 0.00 391,786 0.00 130,595 0.00

Committee Markup Annual					OFFICE OF	THE PUBL	IC DEFENDER	₹					Regular House Bills
	FY 2013		FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGET		DEPT RE	Q	AMENDED F	REC	RECOMMEN	DED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C				1,7/517		A				WWW		7/	
Pay Plan FY15-COLA - 0000015 PERSONAL SERVICES		0.00		0.00	0	0.00	0	0.00	391,786	0.00	130,595	0.00	
PERSONAL SERVICES	0		0		U		U						
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	391,786	0.00	130,595	0.00	
TOTAL	. \$0	0.00	\$0	0.00	. \$0	0.00	. \$0	0.00	\$391,786	0.00	\$130,595	0.00	
General structure adjustment for all state en 2015.	nployees. The Govern	or recommer	nds 3% for the seco	nd half of Fis	scal Year 2015 (sta	rts January 1	, 2015). The Hous	e recommend	s 1% beginning Ja	nuary 1,			

TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$10,754,490	154.50	\$0	0.00	\$0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	5,449,578	0.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	5,449,578	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0 00	5,304,912	154.50	0	0.00	0	0.00
Caseload Relief - 1151001 PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	5,304,912	154.50	0	0.00	0	0.00

Juvenile Representation - 1151002				AVC			310.7						
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	3,296,256	96.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	3,296,256	96.00	0	0.00	0	0.00	

					OFFICE OF T	HE FUBL			300-00-				Regular House Bil
	FY 2013		FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		
**	BUDGET	<del></del> -	ACTUAL	ETE -	BUDGET	ETE	DEPT REC	FTE -	AMENDED R		RECOMMEN	FTE	
OUSE BILL SECTION 12.400	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DULLAR	FIE	DOLLAR	FTE	DOLLAR	FIE	
FFICE OF THE DIRECTOR - 15111C													
Juvenile Representation - 1151002													
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	792,800	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	792,800	0.00	0	0.00	0	0.00	
TOTAL	. \$0	0.00	. \$0	0.00	\$0	0.00	\$4,089,056	96.00	\$0	0.00	\$0	0.00	
Information Technology Update - 1151003 EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00		0.00	0	0.00	0		
GENERAL REVENUE TOTAL	° \$0	0.00	° \$0	0.00	\$0	0.00	254,820 <b>\$254,820</b>	0.00	\$0	0.00	o \$0	0.00	
	5500						254,820					0.00	

Committee Markup Annual					OFFICE OF	THE PUBL	IC DEFENDER	₹					Regular House Bills
	FY 2013		FY 2013		FY 201	4	FY 2015		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGE	T	DEPT RE	Q	AMENDED F	REC	RECOMMEN	IDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C									30 - 21 - 52	34		9. — 9/1- g	
Missouri Bar Dues - 1151004 EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	22,125	0.00	33,435	0.00	33,435	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	22,125	0.00	33,435	0.00	33,435	0.00	
TOTAL	. \$0	0.00	\$0	0.00	\$0	0.00	\$22,125	0.00	\$33,435	0.00	\$33,435	0.00	90
TOTAL	. \$0	0.00	\$0	0.00	\$0	0.00	\$22,125	0.00	\$33,435	0.00	\$33,435	0.00	

Juvenile Life Without Parole - 1151005								300 0070000				
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	1,260,000	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,260,000	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,260,000	0.00	\$0	0.00	\$0	0.00

Committee Markup Annual					OFFICE OF	THE PUBL	IC DEFENDER						Regular House Bills
	FY 2013	3	FY 2013		FY 2014	ı	FY 2015		GOV AS		HOUS	SE	
	BUDGET	Γ	ACTUAL		BUDGE"	Т	DEPT REC	2	AMENDED I	REC	RECOMM	ENDED	
F. Standard College	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C				U-114							11.2		
Office Space Requirements - 1151006 EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	1,901,438	0.00	0	0.00		0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,901,438	0.00	0	0.00	(	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	. 0.00	\$1,901,438	0.00	\$0	0.00	.\$	0.00	
		***			The state of the s								

	The same of											
TOTAL - OFFICE OF THE DIRECTOR	\$32,600,474	585.13	\$32,600,475	574.81	\$32,236,287	585.13	\$50,664,499	835.63	\$32,807,791	585.13	\$32,546,600	585.13
WITH A STATE OF THE STATE OF TH	and the state of t				A2000-0000-000 COSC - 2000	ENG 355.5 (-0.45)	A CONTRACTOR OF THE PARTY OF TH				court stoners ( - 7-85 (- 152)	

# Public Defender Commission - Grants - Section 12.400

# Page 79

This section provides appropriation authority if grants are received from the federal government.

**Legal Base:** Chapter 600 RSMo **Funding Source:** Federal Funds

FY 2014 Withhold: None

# **CORE ADJUSTMENTS:**

# **DEPARTMENT:**

No Changes

## **GOVERNOR:**

No Changes

# **HOUSE:**

No Changes

# **SENATE:**

				OFFICE OF	THE PUBL	IC DEFENDER						Regular House Bills
FY 2013		FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		
BUDGET	6	ACTUAL	6	BUDGET		DEPT REC	2	AMENDED F	REC	RECOMMEN	DED	
DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	
125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	
\$125,000	0.00	. \$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	8 700 mm
					191		-				-	Hall-Victorial Articles
	125,000 125,000	<b>125,000 0.00</b> 125,000 0.00	BUDGET         ACTUAL           DOLLAR         FTE         DOLLAR           125,000         0.00         0           125,000         0.00         0	BUDGET         ACTUAL           DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0         0.00           125,000         0.00         0         0.00	FY 2013 BUDGET         FY 2013 ACTUAL         FY 2014 BUDGET           DOLLAR         FTE         DOLLAR         FTE         DOLLAR           125,000         0.00         0.00         125,000           125,000         0.00         0.00         125,000	FY 2013         FY 2014           BUDGET         ACTUAL         BUDGET           DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000         0.00           125,000         0.00         0.00         125,000         0.00	FY 2013         FY 2014         FY 2015           BUDGET         ACTUAL         BUDGET         DEPT RECOMMENT           DOLLAR         FTE         DOLLAR         FTE         DOLLAR           125,000         0.00         0.00         125,000         0.00         125,000           125,000         0.00         0.00         125,000         0.00         125,000	BUDGET         ACTUAL         BUDGET         DEPT REQ           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00	FY 2013         FY 2014         FY 2015         GOV AS BUDGET         DEPT REQ         AMENDED F           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE         DOLLAR           125,000         0.00         0.00         125,000         0.00         0.00         125,000         0.00 <td< td=""><td>FY 2013         FY 2013         FY 2014         FY 2015         GOV AS AMENDED REC           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000</td><td>FY 2013         FY 2013         FY 2014         FY 2015         GOV AS         HOUSE           BUDGET         DOLLAR         DEPT REQ         AMENDED REC         RECOMMEN           DOLLAR         FTE         DOLLAR</td><td>FY 2013         FY 2013         FY 2014         FY 2015         GOV AS         HOUSE           BUDGET         ACTUAL         BUDGET         DEPT REQ         AMENDED REC         RECOMMENDED           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00</td></td<>	FY 2013         FY 2013         FY 2014         FY 2015         GOV AS AMENDED REC           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000	FY 2013         FY 2013         FY 2014         FY 2015         GOV AS         HOUSE           BUDGET         DOLLAR         DEPT REQ         AMENDED REC         RECOMMEN           DOLLAR         FTE         DOLLAR	FY 2013         FY 2013         FY 2014         FY 2015         GOV AS         HOUSE           BUDGET         ACTUAL         BUDGET         DEPT REQ         AMENDED REC         RECOMMENDED           DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE         DOLLAR         FTE           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00           125,000         0.00         0.00         125,000         0.00         125,000         0.00         125,000         0.00

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**TOTAL - GRANTS** 

# Public Defender Commission - Legal Defense and Defender Fund - Section 12.400

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This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Base: Chapter 600 RSMo

Funding Source: Legal Defense and Defender Fund

FY 2014 Withhold: None

#### **CORE ADJUSTMENTS:**

## **DEPARTMENT:**

No Changes

## **GOVERNOR:**

No Changes

## **HOUSE:**

No Changes

SENATE:

Committee Markup Annual						HE PUBL	IC DEFENDER						Regular House Bill
	FY 2013		FY 2013		FY 2014		FY 2015		GOV AS		HOUSE		
_	BUDGET DOLLAR	FTE -	DOLLAR	FTE -	BUDGET DOLLAR	FTE	DEPT REC	FTE -	AMENDED R	FTE -	DOLLAR	FTE _	
IOUSE BILL SECTION 12.400 EGAL DEFENSE & DEFENDER FUND - 15141C		112	DOLLAN	112	DOLLAN	.,.=	DOLDIN	,,,	J022.11		DOLLAN	.,,_	
CORE							3,						
PERSONAL SERVICES	130,196	2.00	130,179	1.98	130,726	2.00	130,726	2.00	130,726	2.00	130,726	2.00	
OTHER FUNDS	130,196	2.00	130,179	1.98	130,726	2.00	130,726	2.00	130,726	2 00	130,726	2.00	
EXPENSE & EQUIPMENT	2,795,756	0.00	1,173,269	0.00	2,795,756	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	
OTHER FUNDS	2,795,756	0.00	1,173,269	0.00	2,795,756	0.00	2,762,408	0.00	2,762,408	0.00	2,762,408	0.00	
PROGRAM-SPECIFIC	55,000	0.00	21,884	0.00	55,000	0.00	88,348	0.00	88,348	0.00	88,348	0.00	
OTHER FUNDS	55,000	0.00	21,884	0.00	55,000	0.00	88,348	0.00	88,348	0.00	88,348	0.00	
TOTAL	\$2,980,952	2.00	\$1,325,332	1.98	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00	***************************************

ay Plan FY14-Cost to Continue - 0000014 PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	500	0.00	500	0.00	500	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	500	0.00	500	0.00	500	0.00
OTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$500	0.00	\$500	0.00	\$500	0.00

													23-23-24
Pay Plan FY15-COLA - 0000015													
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills
	FY 2013 FY 2				FY 2014	FY 2014		FY 2015		GOV AS			
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
_	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 LEGAL DEFENSE & DEFENDER FUND - 15141C													
Pay Plan FY15-COLA - 0000015													
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	1,805	0.00	601	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,805	0.00	\$601	0.00	- 0
General structure adjustment for all state employ 2015.	ees. The Govern	nor recommer	nds 3% for the seco	and half of Fis	cal Year 2015 (star	ts January 1	2015). The House	e recommend	ds 1% beginning Ja	nuary 1,			
	=												
TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$2,980,952	2.00	\$1,325,332	1.98	\$2,981,482	2.00	\$2,981,982	2.00	\$2,983,787	2.00	\$2,982,583	2.00	

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### Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400

#### Page 97

This section provides monies to meet the costs associated with conflict case reassignments and extraordinary expenses related to providing representation in criminal cases. The appropriation is used to provide for the defense of criminal cases and expenses such as expert witnesses, depositions and other expenses arising from changes of venue.

There are more than 300 homicide cases assigned to the system each year and more than 750 conflict of interest cases which must be reassigned each to the private bar.

**Legal Base:** Chapter 600 RSMo **Funding Source:** General Revenue

FY 2014 Withhold: None

#### **CORE ADJUSTMENTS:**

#### **DEPARTMENT:**

No Changes

## **GOVERNOR:**

Core Transfer: \$700,000 General Revenue PSD from the Judiciary for a pilot program for contract legal representation

# **HOUSE:**

No Changes

### SENATE:

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills
	FY 2013 BUDGET		FY 2013		FY 2014		FY 2015		GOV AS		HOUSE	i i	
_			ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 EXTRAORDINARY EXPENSE/CONFLIC - 151510													
CORE EXPENSE & EQUIPMENT	3,721,071	0.00	3,721,070	0.00	3,021,071	0.00	3,021,071	0.00	3,721,071	0.00	3,721,071	0.00	
GENERAL REVENUE	3,721,071	0.00	3,721,070	0.00	3,021,071	0.00	3,021,071	0.00	3,721,071	0.00	3,721,071	0.00	
TOTAL	\$3,721,071	. 0.00	\$3,721,070	0.00	\$3,021,071	0.00	\$3,021,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	
TOTAL - EXTRAORDINARY EXPENSE/CONFL	\$3,721,071	0.00	\$3,721,070	0.00	\$3,021,071	0.00	\$3,021,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	

#### Public Defender Commission – Debt Offset Escrow - Section 12.400

## Page 101

This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Base: Chapter 600 RSMo

**Funding Source:** 

Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

FY 2014 Withhold:

## **CORE ADJUSTMENTS:**

#### **DEPARTMENT:**

No Changes

## **GOVERNOR:**

No Changes

# **HOUSE:**

No Changes

**SENATE:** 

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills
	FY 2013 BUDGET		FY 2013	3	FY 2014		FY 2015		GOV AS		HOUSE		
			ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
DEBT OFFSET ESCROW FUND - 15161C													
CORE													
PROGRAM-SPECIFIC	350,000	0.00	758,990	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	
OTHER FUNDS	350,000	0.00	758,990	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0,00	
TOTAL	\$350,000	0.00	\$758,990	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	7.
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TOTAL - DEBT OFFSET ESCROW FUND	\$350,000	0.00	\$758,990	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	